

## ABAC Adjudication Panel Determination 100/25

<b>Determination Date</b>	4 August 2025
<b>Brand/Company</b>	Wet Pussy Shots/80Proof Australia Pty Ltd
<b>Media</b>	Digital – Facebook and Instagram
<b>ABAC Code provision</b>	Part 3 (a)(i) & (a)(ii)
<b>Outcome</b>	Upheld

### Part 1 - Determination Overview

#### **Complaint:**



The complainant is concerned that 10 social media posts promoting Wet Pussy Shots encourage the excessive consumption of alcohol and intoxication as well as binge and irresponsible drinking.

#### **Key findings:**

The Panel upheld the complaint, finding that each of the posts showed or directly suggested the excessive and/or rapid and uncontrolled consumption of alcohol.

#### **Marketing Communications:**

The complaint concerns Facebook and Instagram marketing by the Company – a total of 10 posts.

Post 1	Post 2
 <p><a href="https://www.instagram.com/reel/DI8YI_ASDQA/?utm_source=ig_web_copy_li">https://www.instagram.com/reel/DI8YI_ASDQA/?utm_source=ig_web_copy_li</a></p>	 <p><a href="https://www.instagram.com/reel/DIOg28sl34/?utm_source=ig_web_copy_link&amp;igsh=MzRlODBiNWFiZA==">https://www.instagram.com/reel/DIOg28sl34/?utm_source=ig_web_copy_link&amp;igsh=MzRlODBiNWFiZA==</a></p>

## Post 3



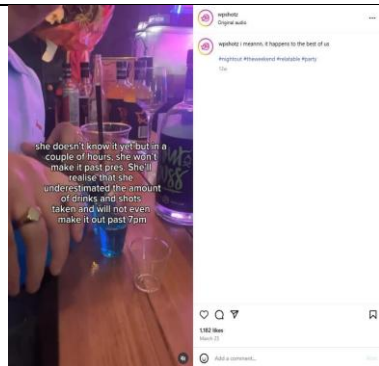
[https://www.instagram.com/reel/DIGJFdIscAT/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRIODBiNWFIZA==](https://www.instagram.com/reel/DIGJFdIscAT/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==)

## Post 4



[https://www.instagram.com/p/DH5NpzWyU4P/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRIODBiNWFIZA==](https://www.instagram.com/p/DH5NpzWyU4P/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==)

## Post 5



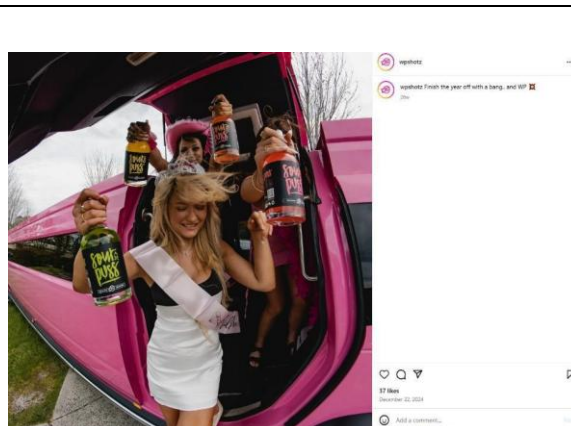
[https://www.instagram.com/reel/DHnPhxmyaAQ/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRIODBiNWFIZA==](https://www.instagram.com/reel/DHnPhxmyaAQ/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==)

## Post 6



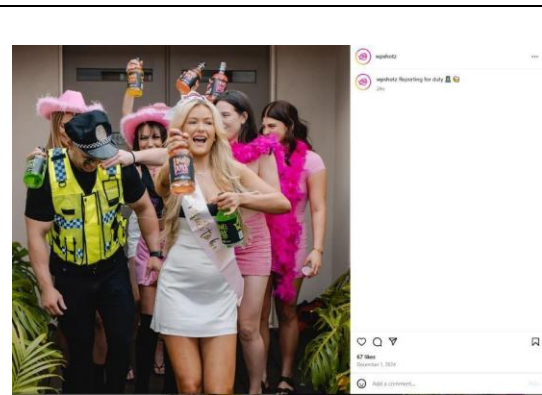
[https://www.instagram.com/p/DF6slaAT-AT/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRIODBiNWFIZA==](https://www.instagram.com/p/DF6slaAT-AT/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==)

## Post 7





[https://www.instagram.com/p/DD3rL61T5YH/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRIODBiNWFIZA==](https://www.instagram.com/p/DD3rL61T5YH/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==)

## Post 8



[https://www.instagram.com/p/DDBpngsTPiC/?utm\\_source=ig\\_web\\_copy\\_link](https://www.instagram.com/p/DDBpngsTPiC/?utm_source=ig_web_copy_link)

Post 9	Post 10
 <p><a href="https://www.instagram.com/p/DBnfVklzb95/?utm_source=ig_web_copy_link&amp;igsh=MzRIODBiNWFIZA==">https://www.instagram.com/p/DBnfVklzb95/?utm_source=ig_web_copy_link&amp;igsh=MzRIODBiNWFIZA==</a></p>	 <p><a href="https://www.instagram.com/p/DBFwCGPTdhF/?utm_source=ig_web_copy_link&amp;igsh=MzRIODBiNWFIZA==">https://www.instagram.com/p/DBFwCGPTdhF/?utm_source=ig_web_copy_link&amp;igsh=MzRIODBiNWFIZA==</a></p>

## Part 2 - The Panel's View

1. This is the third occasion on which the Panel has made a decision regarding the marketing of 80Proof Australia Pty Ltd (the Company) for the alcohol product Wet Pussy (the product). Determination 216 & 217/21 found that the brand name and packaging of the product breached Part 3 (b)(i) and (c)(ii) of the Code. Determination 51/23 found a social media post about the product in breach of Part 3 (a)(i).
2. Since the Company did not remove the Wet Pussy packaging from the market, as required by the ABAC Scheme Rules and Procedures Panel Determination 216 & 217/21 was referred to the Victorian Liquor Commission. The Commission has taken regulatory action under the Liquor Control Reform Act 1998, which the Company has challenged, and the matter is currently before the Victorian Civil and Administrative Tribunal.
3. This decision considers 10 social media posts that the complainant claims breach ABAC standards. It does not examine a further post because the concern was directed towards the product brand, which was addressed in the earlier Panel decision, as noted above. While the full complaint is detailed in the background section in Part 3 of this decision, the main argument is that the 10 posts promote or endorse excessive or rapid alcohol consumption and/or irresponsible behaviour related to alcohol, in breach of Part 3 (a)(i) and (ii) of the ABAC Standards.
4. The assessment of a marketing item's consistency with the Code standards is based on a reasonable person's probable understanding of the marketing. This means that the community's values, opinions, and life experiences serve as the benchmark. If the marketing material could be interpreted in several ways, the most likely interpretation is preferred over a possible but less likely interpretation.
5. The Company responded to the complaint, contending:

- The Wet Pussy brand has a playful tone; however, we accept that humour and party-themed content must not cross the line into promoting unsafe or excessive consumption.
  - Posts 1 to 8 use meme-style humour and reference everyday nightlife experiences in a comedic way and were not intended to promote binge drinking or excessive consumption. Still, given the risk of misinterpretation, the posts will be removed.
  - Posts 9 and 10 were staged, stylised videos intended to convey celebration in a social setting. However, we acknowledge that such imagery may imply uncontrolled consumption and falls short of responsible messaging standards, and the posts will be removed.
6. Given the number of posts, a detailed description and analysis of each will not be provided. The Panel believes that each of the 10 posts breaches Part 3 (a)(i) and/or (a)(ii) of the Code as follows:
- Post 1, by superimposing the words “I’m not an alcoholic, I’m just always down to drink” over a video displaying a range of alcoholic drinks on a table and multiple alcoholic beverages being served (including an overflowing glass) and the words “I can do what I like” in the post commentary, suggests that an excessive amount of alcohol is being consumed.
  - Post 2, by superimposing the words “do you remember what you did last night?” over footage of people dressed for partying and holding bottles of alcohol in the back of a limo, suggests that a large amount of alcohol will be consumed to the point of intoxication, potentially leading to memory loss. The second part of the caption says “has got to be the worst sentence you can ever hear” suggest precedence of this behaviour and an expected consequence.
  - Post 3, by superimposing the words “pov: you watched the bartender make you a drink and they over pour your shot” over an image of a shot being poured, showing the words “Absolutely doing the world wonders” in the post commentary and the song “Heroes” being played, implies and welcomes that amounts greater than the standard measure are being consumed and could lead to excessive alcohol intake.
  - Post 4 shows five people holding their bottles of alcohol while dressed for a party and sitting in the back of a limo, which encourages drinking beyond the levels recommended by the Australian Guidelines to Reduce Health Risks from Drinking Alcohol.
  - Post 5 by superimposing over images of bottles of the product and shots being poured the words “She doesn’t know it yet but in a couple of hours, she won’t make it past pres. She’ll realise that she underestimated the amount of drinks

and shots taken and will not even make it out past 7 pm”, implies that a person will consume an excessive amount of alcohol, until intoxicated.

- Post 6, which depicts three people holding open bottles of the product with the text “3 bottles of your finest please”, suggests that excessive alcohol consumption will occur.
- Post 7 by showing three party goers alighting from a limo, two holding one bottle and the third holding two bottles of the product, which, along with the accompanying text reading “Finish the year off with a bang”, implies that excessive alcohol consumption will occur.
- Post 8, by showing five partygoers together holding five bottles of the product, suggests that excessive alcohol consumption will happen.
- Posts 9 and 10, which show the product being poured directly from a bottle into another person’s mouth, suggest that excessive alcohol consumption may occur because the amount is not accurately measured and there’s a lack of control over how much is consumed. The posts also indicate that a person does not have control over their rate of alcohol intake, leading to quick consumption and irresponsible drinking.

7. The complaint is upheld.

### **Part 3 - Supporting Information**

#### **Panel Process**

This complaint was received from Ad Standards (the common entry point for all marketing complaints by members of the Australian community). The Chief Adjudicator referred it to the ABAC Adjudication Panel for consideration against the ABAC Responsible Alcohol Marketing Code. The complaint process is explained [here](#).

The Panel operates under the ABAC Rules and Procedures, taking into account the principles of procedural fairness.

The Panel comprised Chief Adjudicator Professor the Hon Michael Lavarch AO, Health Sector Panellist Professor Richard Mattick AM and Panellist Cristiano Lima.

#### **Applicable ABAC Responsible Marketing Code Standard**

*Part 3 (a) of the Code provides that an Alcohol Marketing Communication must NOT:*

- (i) *show (visibly, audibly or by direct implication), encourage, or treat as amusing, consumption inconsistent with the Australian Guidelines to Reduce Health Risks from Drinking Alcohol, such as:*

*(A) excessive Alcohol consumption (more than 10 standard drinks per week or more than 4 standard drinks on any one day); or*

*(B) Alcohol consumption while pregnant or breastfeeding;*

- (ii) show (visibly, audibly or by direct implication), encourage, or treat as amusing, rapid Alcohol consumption, misuse or abuse of Alcohol or other irresponsible or offensive behaviour that is related to the consumption or presence of Alcohol.*

## **Complaint**

The complaint relates to the posts on The Wet Pussy Shots Instagram and Facebook account.

I believe that the below image and product name is concerning and offensive.

The name of the product draws attention to female sexual arousal and uses a slang term for a women's genitals that a large portion of the community would find offensive and demeaning. The product name 'Wet Pussy' is a well-recognised colloquial description of a sexually aroused woman.

[Post 1] states 'I am not an alcoholic, I am just always down for a drink'. This could be a misleading post. The Australian Drinking Guidelines state that no more than 10 standard drinks a week and no more than 4 standard drinks on any one day. The statement in this post can give misleading advice.

[Post 2] states "Do you remember what you did last night? Has got to be the worst sentence you can ever hear". This post can be seen to be encouraging intoxication past the Australian Drinking Guidelines (Australian Government, 2020).

[Post 3] states "pov: you watched the bartender make you a drink and they over-pour your shot". This goes against RSA guidelines of ensuring an alcoholic drink is using standard drink measures. This could be classed as drink spiking which is illegal in all Australian states and territories, regardless of the intent (Alcohol think again, 2025).

[Posts 4, 6, 7 and 8] are just some of the posts on the social media account that show individuals holding more than the Australian Drinking Guidelines. These are just a few of the posts. These images could encourage consumers to consume more than the recommended Australian Drinking Guidelines.

[Post 5] states "she doesn't know it yet but in a couple of hours, she won't make it past pres. She'll realise that she underestimated the amount of drinks and shots taken and will not even make it out past 7pm." This could be seen as encouraging binge drinking and intoxication.

[Posts 9 and 10] show individuals pouring the alcoholic beverage into another individual's mouth which shows consuming alcohol without standardised measurement of drinking.

## ***Company Response***

The Company was provided with an opportunity to respond to the complaint, and its principal comments were:

### **Response to Part 1: Alleged Breaches of Part 3(a)(i) – Excessive Alcohol Consumption**

We acknowledge the importance of aligning with the Australian Guidelines to Reduce Health Risks from Drinking Alcohol. The Wet Pussy brand has a playful tone; however, we accept that humour and party-themed content must not cross the line into promoting unsafe or excessive consumption.

#### **Posts 1 to 8 - Individual Post Comments:**

- These posts use meme-style humour intended to reflect social norms among our target demographic (legal-age adults). However, we accept that certain captions and visuals **could be interpreted** as trivialising or indirectly encouraging excessive consumption or intoxication.
- Posts referencing “pre-drinks,” “over-pouring,” and losing memory were **not intended to promote or glorify binge drinking**, but rather to reflect common nightlife experiences in a comedic format.
- That said, **we recognise the risk** of misinterpretation and have **removed all posts referenced** in the complaint from our social media channels pending a full content review.

#### **Posts 9 and 10 showing alcohol poured into mouths:**

- These were staged, stylised videos intended to convey celebration in a social setting. However, we acknowledge that such imagery may imply uncontrolled consumption and falls short of responsible messaging standards.
- These posts have also been **removed**, and we will avoid similar content in future campaigns.

### **Response to Part 2: Alleged Breaches of Part 3(a)(ii) – Rapid or Misuse of Alcohol**

- We accept that **Posts 9 and 10**, showing alcohol poured directly into a person’s mouth, may imply rapid consumption or lack of control, and thus may breach the spirit of Part 3(a)(ii). These posts will be permanently removed

## ***Marketing Best Practice***

The Company was asked how it demonstrates a commitment to best practices for alcohol marketing. It did not respond to this question.

The Panel notes that the Company:

- Is not a signatory to the ABAC Scheme.
- Did not utilise the ABAC pre-vetting service to develop the social media posts.
- Has not undertaken the ABAC online training course.